

**MINUTES OF COMBINED COMMISSION WORKING & REGULAR SESSION
MEETING HELD DECEMBER 10, 2012 BEGINNING AT 9:00 A.M. IN CONFERENCE
ROOM #1, IN DUCHESNE, UTAH**

Present

Commission Chairman Kirk J. Wood, Commissioner Ronald Winterton, Commissioner Kent R. Peatross, Deputy County Attorney Marea Doherty, Public Works Director Glen Murphy, and Commission Assistant BobbiJo Casper taking minutes of the meeting.

Public Works/Landfill Update

Uintah Basin Standard Reporter Steve Puro joined the meeting at 9:18 A.M...

Director Murphy reported that the Road Department is putting gravel on County Road #1 in Upper Red Creek. They are also putting up gates at the salt shed in Myton to keep people out on the east end. There are people who are using this as a short cut.

Director Murphy also reported that County Road #43 will be closed for a few days to put a bridge in. This closure will be advertised on the radio. This road is in outside of Myton and goes to the old pump station. They will try to have the road back open by Thursday. Mr. Puro stated that he will put this information on their Facebook page.

Director Murphy stated that there was a Bill Barrett truck that wrecked Saturday morning on the Strawberry Road that caused the road to be closed until Sunday morning. Commissioner Peatross stated that the road was opened Saturday night and the truck was hauling a building from Casper, Wyoming that was full of equipment for an injection well.

Consideration Of Resolution No. 12-21, A Resolution Establishing A New Fee Schedule For Buildings And Construction Within Duchesne County

Building Official Karl Mott joined the meeting at 9:25 A.M...

Official Mott stated that he tried to keep the fees the same, but it was raised a little due to his formula program. Permit fees were raised 1% because he couldn't do anything closer in the system. On the national table, the evaluation fees went up almost 4%.

RESOLUTION NO. 12-21

**A RESOLUTION ESTABLISHING A NEW FEE SCHEDULE FOR
BUILDINGS AND CONSTRUCTION WITHIN DUCHESNE COUNTY**

WHEREAS, Duchesne County Code Title 7 establishes rules and regulations for buildings and construction with Duchesne County; and

WHEREAS, Duchesne County Code §7-1E-2 authorizes the county to establish permit fees for building and construction; and

WHEREAS, said code also authorizes the fees to be set by resolution; and

WHEREAS, Duchesne County desires to amend said fees commencing January 1, 2013.

NOW, THEREFORE, be it resolved by the Board of County Commissioners for Duchesne County that the valuation table for the Duchesne County building and construction enforcement in Exhibit A attached hereto and hereby incorporated by reference, is adopted.

IT IS FURTHER RESOLVED that the method used to calculate the fees on the individual projects shall be that as set forth in the Building Department Fee Schedule in Exhibit B attached hereto and hereby incorporated by reference.

IT IS FURTHER RESOLVED that an existing fee amounts contrary to this resolution are changed to reflect this new fee schedule, and that this fee schedule shall be effective January 1, 2013.

APPROVED AND ADOPTED by a duly constituted quorum of the Board of County Commissioners of Duchesne County this 10th day of December, 2012.

ATTEST:

DUCHESNE COUNTY:

Diane Freston
County Clerk/Auditor

Kirk J. Wood
Chairman

Kent R. Peatross
Member

Ron Winterton
Member

Commissioner Winterton motioned to adopt Resolution No. 12-21. Commissioner Peatross seconded the motion. All commissioners voted aye and the motion passed.

Consideration Of Payment Vouchers

Deputy Clerk Auditor Connie Sweat joined the meeting at 9:35 A.M...

The commission reviewed vouchers # 123495 through 123622 dated November 10, 2012, in the amount of nine hundred sixty two thousand six hundred ninety six dollars and ninety two cents (\$962,696.92) as presented by Deputy Clerk Sweat. *Commissioner Winterton motioned to approve the vouchers as presented by the Clerk Auditor's Office. Commissioner Peatross seconded the motion. All commissioners voted aye and the motion passed.*

Consideration Of A Beer License Application For Defa's Dude Ranch

Deputy Clerk Auditor Connie Sweat joined the meeting at 9:35 A.M...

Deputy Clerk Sweat stated that this is a renewal and it has been approved by the Sheriff's Department. *Commissioner Peatross motioned to approve the beer license application as presented by the Clerk Auditor's Office. Commissioner Winterton seconded the motion. All commissioners voted aye and the motion passed.*

Consideration Of A Beer License Application For Hanna Bar

Deputy Clerk Sweat stated that this is a renewal and it has been approved by the Sheriff's Department. *Commissioner Peatross motioned to approve the beer license application as presented by the Clerk Auditor's Office. Commissioner Winterton seconded the motion. All commissioners voted aye and the motion passed.*

Consideration Of A Beer License Application For Hanna County Store

Deputy Clerk Sweat stated that this is a renewal and it has been approved by the Sheriff's Department. *Commissioner Peatross motioned to approve the beer license application as presented by the Clerk Auditor's Office. Commissioner Winterton seconded the motion. All commissioners voted aye and the motion passed.*

Consideration Of A Beer License Application For The Neola Korner Store

Deputy Clerk Sweat stated that this is a renewal and it has been approved by the Sheriff's Department. *Commissioner Peatross motioned to approve the beer license application as presented by the Clerk Auditor's Office. Commissioner Winterton seconded the motion. All commissioners voted aye and the motion passed.*

Consideration Of A Business License Application For AC/DC Oilfield Services

Deputy Clerk Sweat stated that this business is out of Fort Duchesne and will be working with Newfield doing roustabout. *Commissioner Winterton motioned to approve the business license application as presented by the Clerk Auditor's Office. Commissioner Peatross seconded the motion. All commissioners voted aye and the motion passed.*

Consideration Of A Business License Application For Fruitland Transport LLC

Deputy Clerk Sweat stated that this is a transporting service and they have all licenses required to do business. *Commissioner Winterton motioned to approve the business license application as presented by the Clerk Auditor's Office. Commissioner Peatross seconded the motion. All commissioners voted aye and the motion passed.*

Consideration Of Duchesne County Board Appointments

Mr. John Beck joined the meeting at 9:50 A.M...

Mr. Beck stated that he is interested in the vacancy on the Northeastern Counseling Board of Trustees that was advertised in the Uintah Basin Standard, but resumes were due November 30th, 2012. He was a drug abuse counselor in the past. Chairman Wood stated that he sits on this board and we did have a qualified applicant apply for this seat by the due date. Commissioner Peatross stated that he would still like to see a resume with Mr. Beck's background and suggested that Mr. Beck contact Kyle Snow at Northeastern Counseling to see if they have any openings. Attorney Doherty stated that there may be a need for part time work for indigent counseling.

Commissioner Peatross stated that we didn't receive applications for the Fairboard seat and proposed amending the resolution to allow Mrs. Debbie Thayne to be reappointed as Chairman. Attorney Doherty stated that we could change the resolution to allow an acceptance if there are no applicants.

Commissioner Peatross motioned to appoint Bobby Richardson to fulfill a vacant seat on North Eastern Counseling Board of Trustees. Commissioner Winterton seconded the motion. All commissioners voted aye and the motion passed.

Commissioner Peatross motioned to reappoint Beth Garner to fulfill another term on Library Board of Trustees representing the Altamont seat and appoint Sherry Lott to fulfill the Hanna/Tabiona seat from the west end of the county. Commissioner Winterton seconded the motion. All commissioners voted aye and the motion

Commissioner Peatross motioned to reappoint Jeff Crozier and Irene Hansen to the Public Lands Board of Trustees. Commissioner Winterton seconded the motion. All commissioners voted aye and the motion passed.

Commissioner Peatross motioned to reappoint Maureen Henderson and Larry Ross to fulfill another term on Duchesne County Water Conservancy District and appoint Kelly Crozier to fulfill the Uintah River seat. Commissioner Winterton seconded the motion. All commissioners voted aye and the motion

Commissioner Peatross motioned to reappoint Rod Harrison on the Board of Appeals. Commissioner Winterton seconded the motion. All commissioners voted aye and the motion passed.

Commissioner Peatross motioned to reappoint Rick Harrison and Kurt Mower to the Children's Justice Center Board of Trustees. Commissioner Winterton seconded the motion. All commissioners voted aye and the motion passed.

Consideration Of Season 3 Sponsorship Agreement With The County Seat

Commissioner Winterton stated that this agreement is with Chad Booth and the County Seat. We received a revised payment amount, but the amount doesn't match what we were told it was going to be. He will make contact for the exact payment amount and total. *Commissioner Winterton motioned to authorize Chairman Wood to sign the agreement with Chad Booth and the County Seat not to exceed thirty nine thousand eight hundred dollars (\$39,800). Commissioner Peatross seconded the motion. Both Commissioner Winterton and Commissioner Peatross voted aye, Chairman Wood abstained from voting and the motion passed.*

Consideration Of An Agreement For Services With Rafter 7 Enterprises

Attorney Doherty stated that she met with Joe Summarell last week and had previously presented to the commission a provision to provide for Mr. Summarell to do road projects as an individual in the even there isn't an inmate crew available. The only part of this contract that Mr. Summarell hasn't seen is that we don't guarantee him forty (40) hours a week. There is a 3% increase and a provision for reimbursement for training certifications. Commissioner Peatross suggested adding that such trainings shall be preapproved by the commission. *Commissioner Peatross motioned to approve the agreement with Rafter 7 Enterprises as amended and authorize Chairman Wood to sign it. Commissioner Winterton seconded the motion. All commissioners voted aye and the motion passed.*

Discussion Of Property Taxes

Assessor Greg Garff joined the meeting at 10:28 A.M... Ms. Patty Green joined the meeting via telephone at 10:28 A.M...

Assessor Garff stated that Ms. Green has back taxes and recently lost her husband. She would qualify for an abatement, but the back taxes prevent her from qualifying. Ms. Green stated that she is waiting for her husband's social security that will take a few more months to get. She has two (2) grandchildren that she is raising and she needs help. Her husband had no life insurance and she is disabled. She received the abatement paperwork and will return them to the county. Chairman Wood asked if Ms. Green could set up payments to get caught up on the back taxes. He would like to see what happens with social security and go from there. Commissioner Peatross stated that there is no danger of her losing her house before the June sale. However, after consulting with the Clerk Auditor's Office, Mrs. Green could not be considered for the circuit breaker program. There is a deadline of December 15th, 2012 to have the abatement paperwork turned back in and suggested that she meet that deadline. Commissioner Winterton suggested that we waive the delinquent taxes for the prior years and that Ms. Green come in and apply for the circuit breaker before the deadline. Assessor Garff stated that he will bring in a tax adjustment for the commission to consider.

Consideration Of Minutes For Working Commission Meeting Held November 19, 2012

Commissioner Peatross motioned to approve the minutes as corrected. Commissioner Winterton seconded the motion. All commissioners voted aye and the motion passed.

Consideration Of Minutes For Regular Commission Meeting Held November 19, 2012

Assistant Casper stated that these minutes are not ready for approval.

Consideration Of Minutes For Working Commission Meeting Held November 26, 2012

Commissioner Peatross motioned to approve the minutes as corrected. Commissioner Winterton seconded the motion. All commissioners voted aye and the motion passed.

Consideration Of Minutes For Combined Commission Meeting Held December 03, 2012

Commissioner Peatross motioned to approve the minutes as corrected. Commissioner Winterton seconded the motion. All commissioners voted aye and the motion passed.

Tax Adjustments – Assessor

Assessor Greg Garff rejoined the meeting at 11:29 A.M

Commissioner Peatross motioned to approve the tax adjustments as recommended by the Assessor's Office. Commissioner Winterton seconded the motion. All commissioners voted aye and the motion passed.

Closed Session

Commissioner Winterton moved to enter into and out of executive session for the purpose of discussing imminent or pending litigation at 11:32 A.M. Commissioner Winterton seconded the motion. All commissioners voted aye and the motion passed.

Reconvened to Combined Commission meeting at 11:49 A.M... Commissioner Peatross excused himself from the meeting...

Closed Session

Commissioner Winterton moved to enter into and out of executive session for the purpose of discussing Personnel issues at 11:50 A.M. Chairman Wood seconded the motion. Both commissioners voted aye and the motion passed. Assistant Casper was excused from the meeting.

Reconvened to Combined Commission meeting at 12:00 P.M... Assistant Casper & Commissioner Peatross rejoined the meeting.

Discussion of Afternoon Agenda Items

Commission Calendaring

Adjourn

Chairman Wood adjourned the meeting at 12:10 P.M.

Read and approved this 17th day of December 2012.

Kirk J. Wood
Commission Chairman

Diane Freston
Clerk/Auditor

*Minutes of meeting prepared by BobbiJo Casper*_____